

**Town of La Pointe Zoning  
Town Plan Commission Regular Monthly Meeting  
Wednesday, April 15, 2009**

**Town Plan Commission Members Present:** Carl Broberg; Chair, Ron Harrold; Vice-Chair, Ron Madich, Suellen Soucek, Greg Thury, Carey Baxter (6)

**Town Plan Commission Members Absent:** none

**Public Present:** Warren Anderson, Mike Starck, Janine Dobson, Ric Gilman (4)

**Town Staff Members Present:** Jennifer Croonborg; ZA, Jessica Hatch; ZCA (2)

**I. Call to Order/Roll Call**

Chair, C. Broberg, called the meeting to order at 5:00 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Public Comment**

Mike Starck speaks to his resignation from the Commission effective April 8, 2009, he is reconsidering his position, though must be appointed by the Town Board.

Jen Croonborg, commenting as a property owner, speaks to the required Map requesting that definitions and uses are presented with the Map as well.

**III. Zoning Administrator's Report**

ZA says the Town Board placed the Report on file the evening prior. ZCA hours are discussed.

**IV. Review and Approval of Previous Meeting Minutes:**

**a. Town Plan Commission Special Monthly Meeting April 1, 2009**

S. Soucek moves to accept the minutes as written of the April 1<sup>st</sup> meeting. G. Thury seconds.  
All in favor, 5 aye. 1 abstain (RH)

**V. Consideration and/or Action of Permit Applications:**

None

**VI. Old Business**

**a. Letter from William Bussey dated November 5, 2008 re Ron Lacey Adverse Possession Claim. (Tabled November 19, 2008 pending Town Board direction on 7<sup>th</sup> street vacation.)**

This item is still awaiting Town Board direction.

**b. Town Plan Commission By-Laws**

ZCA made the directed amendments to the By-Laws and distributed to the Commission, there is one type-o to correct; ZCA will make this correction. Discussion follows regarding some questions pertaining to the By-Laws.

**c. Revisions and possible recommendation to § 3 Zoning Districts (definition, dimensional requirements and permitted and conditional uses.) including Shoreline and Flood Hazard Overlay District (tabled from April 1, 2009)**

Chair reads the following written motion (On file in the Official Zoning Minutes Book ): C. Broberg "moves to recommend the Town Board act to allow the rental of Guest Houses as permitted in Section 3 of the Official Zoning Ordinance of the Town of La Pointe when used in junction with the rental of the primary residence located on property by deleting the following

words from the definition of “Guest House” contained in Section 2.1(15) to wit: “The design or use of a Guest House does not include boarding, lodging, motels, tents, tourist cabin, or rentals for monetary gain.”

Furthermore, the Town Plan Commission urges the Town Board act promptly on this matter since it is reasonable and customary that other accessory structures such as gazebos, decks and dock are allowed to be used when property is rented and any delay in implementation will result in irreparable financial loss to property owners and economic loss to the community.” S. Soucek seconds. All in favor, 5 aye. 1 oppose (GT). Motion Carries. Chair will pass information on to Town Board.

Discussion continues on the Draft Revised § 3 Zoning Ordinance with questions from Commissioners and the ZA.

S. Soucek moves and Chair restates the motion to forward to the Town Board with recommendation for review and approval of the changed draft dated April 1, 2009, for Section 3 and the associated changes to definitions in Section 2 pertaining to Section 3. R. Madich seconds. All in favor, 6 aye. Motion is adopted, says Chair.

## **VII. New Business**

- a. **The matter of the definition and application of Section 2.1(15) to the rental of a “guest house” or “bunkhouse” in conjunction with (not independently of) the rental of the principle dwelling at the request of the Inn on Madeline Island for Titcomb property.**

G. Thury moves that we table item VII a. the matter of the definition and application of Section 2.1(15) to the rental of a “guest house” or “bunkhouse” in conjunction with (not independently of) the rental of the principle dwelling at the request of the Inn on Madeline Island for Titcomb property pending Town Board decision regarding our forwarding the definition of “Guest Houses” on to them. S. Soucek seconds. All in favor, 6 aye.

## **VIII. General Code Project/Ordinance Revision**

- a. **Zoning Map Review and Changes and Report from Planning Commission Sub-Committee. (Tabled from April 1, 2009)**

Commissioner Thury explains the findings thus far on this project regarding the S-2 zone’s boundaries as well as multi-district parcels on the island (minutes from these meetings are on file in the Official Zoning Minutes Book.) Commissioner Baxter gives a brief report on his progress. Discussion follows.

- b. **Filling and Driveways (Tabled on February 4, 2009 until April 1, 2009)**

Chair redistributed a draft document by Dick Hoffman on this matter for the TPC to consider in how to deal with Filling and Driveways in our Ordinance. Discussion. Adding a reference to “Ashland Co. Shoreland Amendatory Ordinance” to the draft “Filling and Driveways” document is decided on, Chair will draft this language.

Chair Broberg presents a written motion to the Commission. Discussion. The motion is amended by consensus of the Commission to state: C. Broberg moves “to recommend the Town Board act to suspend any and all efforts to assess or collect any fees as a Town of La Pointe Land Use for any filling and grading or creation of any driveways beyond the road access in a right-of-way immediately and revoke any communication inferring that such activity is regulated by the Town of La Pointe until such time an ordinance is created and adopted by the Town of La Pointe.” (On file in the Official Zoning Minutes Book) S. Soucek seconds. All in favor, 5 aye. 1 oppose (GT). Motion Carries. Chair will forward the recommendation on to Town Board.

- c. **Review of historical “Procedural Guidelines” no longer enforced due to prior Town of La Pointe attorney’s opinion.**

Review and Discussion. Procedural Guidelines will appear on the next agenda.

- IX. Future Agenda Items**
  - a. Letter from Bill Bussey
  - b. Titcomb Property, Rental of “Guest House” or “bunkhouse” – pending Town Board decision
  - c. Procedural Guidelines
- X. Schedule of Meetings**

SMM 05-06-09 @ 5 PM
- XI. Adjournment**

R. Madich moves to adjourn. S. Soucek seconds. All in favor, 6 aye. Meeting ends at 6:25 PM.

**Draft Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Friday, April 17, 2009.**

**These TPC Minutes are approved as submitted by J.L. Hatch; ZCA on Wednesday, May 6, 2009.**